

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

CHAD M. BUBRICK,

Plaintiff,

v.

DAVID FRAZIER, *et al.*,

Defendants.

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CIVIL ACTION NO. 5:09-CV-13 (MTT)

**ORDER**

This matter is before the Court on the Plaintiff's Motion for Leave to Appeal In Forma Pauperis. (Doc. 148). The Magistrate Judge assigned to the case initially granted the Plaintiff's Motion to Proceed In Forma Pauperis in the district court action. (Doc. 6). On May 2, 2012, the Court denied the Plaintiff's Fed. R. Civ. P. 60 Motion. (Doc. 146). The Plaintiff seeks to appeal that order.

Pursuant to 28 U.S.C. § 1915(a)(3), "[a]n appeal may not be taken in forma pauperis if the trial court certifies in writing that it is not taken in good faith." For the reasons set forth in the Court's Order denying the Plaintiff's Fed. R. Civ. P. 60 Motion, in the Court's best judgment, an appeal from that order cannot be taken in good faith. Accordingly, the Plaintiff's Motion for Leave to Appeal In Forma Pauperis is **DENIED**.

**SO ORDERED**, this 20th day of June, 2012.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT